REMARKS

In response to the Office Action mailed on June 22, 2006, Applicant respectfully requests reconsideration based on the above claim amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1, 9, 16 and 21-23 have been amended, leaving Claims 1-4, 6-10, and 12-26 for consideration upon entry of the present amendment. No new matter has been added by the amendments.

Support for Claim Amendments

The amendments to the claims are fully supported in Applicant's specification as originally filed. See, for example, pages 8 and 9 of the specification.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 1-4, 6-10, and 12-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Microsoft Passport™ as described in the articles provided by the Examiner (hereinafter "Passport") in view of U.S. Patent No. 5,966,705 to Koneru (hereinafter "Koneru"). Applicant respectfully traverses the rejection because Passport in view of Koneru fails to teach or suggest all of the elements in Claims 1-4, 6-10, and 12-26.

Specifically, Passport in view of Koneru fails to teach or suggest at least the elements "wherein the requestor determines whether the cookie exists on the user machine and in response to determining that the cookie does not exist the requestor: obtains the information on the particular user; generates and stores the cookie including the key on the user machine; and provides the key and the information on the particular user to the cookie management system" as recited in amended Claim 1.

The Examiner looks to Koneru for teaching these elements and has stated that Koneru discloses a "globally unique identifier" (GUID), created by a server when a user first accesses a

website, and stored on the client computer as a "cookie". The Examiner has also stated that Koneru additionally teaches the subsequent creation and storage of a database entry (per pending Claims 24-26), on the server computer to track the user activity. The Examiner looks to Column 2, lines 43-67; Column 3, lines 1-10; Column 4, lines 59-67; Column 5, lines 1-47 and Claims 1-25 of Koneru to support this position.

Applicant respectfully disagrees with the Examiner and submits that the portions of Koneru cited by the Examiner do not teach "wherein the requestor determines whether the cookie exists on the user machine and in response to determining that the cookie does not exist the requestor: obtains the information on the particular user; generates and stores the cookie including the key on the user machine; and provides the key and the information on the particular user to the cookie management system" as recited in Claim 1.

Koneru is directed to tracking a user (storing user activity and/or customization information) across secure and non-secure areas within a site on a computer network using a single database entry.

Column 2, line 43 through Column 3, line 10 of Koneru teaches tracking a user across both secure and non-secure areas on a website using a single database entry. When a user first accesses a non-secure area on a site the user is assigned a token, such as a GUID, that uniquely represents the user. As taught at Column 2, lines 12-26 of Koneru, the token is created (or generated) by a server at the site where the database with tracking information resides. The token is used as a key to the database entry associated with the user on the site. When a user first accesses a secure area on the same site the user is prompted to enter a user identification (used as the key from then on to the database entry) and a password. The user identification (key) is then stored in a cookie and is received by the site each time the client computer passes the cookie to the site. In another aspect, a copy of the token is stored in the database entry. When the site retrieves the cookie from the client computer, the token from the cookie is compared to the stored token. If the tokens do not match then an error is generated or an uncustomized document is presented to the user.

Column 4, line 59 through Column 5, line 47 of Koneru teaches that documents for browsing can reside in secondary storage or at a web site and that they can be in several kinds of data formats. This section also teaches that the documents are displayed in a window on the user machine using a browser. This section of Koneru further teaches that when a client computer connects to the server, the token is assigned and stored locally as a cookie and a database entry is created and stored on the server to track user activity as the user browses different areas on the server (or site). The token is assigned by the server and used as a key to the database entry.

The sections of Koneru cited by the Examiner teach that the token is created by the server machine where the database containing tracking information resides and not by a server machine that is remote from the location of the database. Applicant respectfully submits that this is not the same as "wherein the requestor determines whether the cookie exists on the user machine and in response to determining that the cookie does not exist the requestor: obtains the information on the particular user; generates and stores the cookie including the key on the user machine" as recited in Claim 1. The addition of Passport does not cure this deficiency in Koneru. Therefore, neither Passport not Koneru, alone or in combination, teaches or suggests all of the elements of Claim 1. Therefore, Claim 1 is patentable over Passport in view of Koneru.

Alternatively, even if Passport in view of Koneru does teach or suggest each and every element of the claimed invention, which it does not, Applicant respectfully submits that "[a] prima facie case of obviousness is established when the teachings from the prior art itself would appear to have suggested the claimed subject matter to a person of ordinary skill in the art," (emphasis added), *In re Bell*, 26 USPQ2d 1529, 1531 (Fed. Cir. 1993) (quoting *In re Rinehart*, 189 USPQ 143, 147 (CCPA 1976)), and that where the references cited by the Examiner are combined with the teachings of the present invention for the purpose of obviating the present invention, such use of a reference is improper, and the reference cannot be used as a prima facie case of obviousness with respect to the present invention.

Here, Applicant's invention is generally concerned with providing a database of user information that can be shared by several web sites to avoid duplicate entry and storage of data pertaining to a user.

36968/248469

In contrast to the claimed invention Passport is generally concerned with providing a single sign in for multiple sites, thereby allowing sharing of user information among the participating sites. As the Examiner has stated, Passport teaches that when a user signs out of Passport, all Passport related cookies are deleted from the user machine for security reasons. Koneru is generally concerned with tracking a user (storing user activity and/or customization information) across secure and non-secure areas within a single site by using single database entry. Koneru teaches storing permanent cookies on a user machine to provide a key into the database entry.

In comparison with the instant invention, Applicant is unable to find any teaching, suggestion or motivation in Passport or Koneru, taken either alone or in combination, to reduce the security provided by Passport, as suggested by the Examiner and not the References themselves, by having permanent cookies utilized by multiple websites stored on the user machine, as claimed in the instant invention. In reviewing the References provided by the Examiner, there does not appear to be any teaching, suggestion or motivation from the References themselves to arrive at the claimed invention. As a result, Applicant submits that it is the instant application rather than the References themselves that teaches the combination of elements claimed, and that the Examiner has not provided substantial evidence to the contrary.

A computer structure that includes a database with user information that is accessible by multiple web sites via keys stored in permanent cookies on user machines is neither taught nor suggested in the References, and one skilled in the art would not find any motivation in the References themselves to combine the References as suggested by the Examiner to arrive at the claimed invention. Only from the present invention is one skilled in the art taught of the structure that helps resolve the aforementioned problem.

The Examiner's combination of the References with the teachings of the present invention for the purpose of obviating the present invention is an improper use of the References, and such a combination cannot be used to prima facie reject the present invention on obviousness grounds. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw this rejection to Claim 1.

For at least the reasons stated above, Applicant submits that Claim 1 is patentable over Passport in view of Koneru. Because they include similar elements, Applicant submits that Claims 9 and 16 are patentable over Passport in view of Koneru for at least the reasons advanced above with respect to Claim 1. Applicant submits that Claims 2-4, 6-8, 21 and 24 are allowable at least due to their dependency on Claim 1. Applicant further submits that Claims 10, 12-15, 22 and 25 are allowable at least due to their dependency on Claim 9. Applicant further submits that Claims 17-20, 23 and 26 are allowable at least due to their dependency on Claim 16.
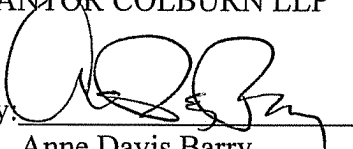
Conclusion

In view of the foregoing remarks and amendments, Applicant submits that the above-identified application is now in condition for allowance. Early notification to this effect is respectfully requested.

If any issues remain, the Examiner is invited to contact the undersigned at the telephone number below.

If there are any charges with respect to this response or otherwise, please charge them to Deposit Account 06-1130 maintained by Applicant's attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By: _____
Anne Davis Barry
Registration No. 47,408
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 36192

Date: December 21, 2006

36968/248469